## PATENT COOPERATION TREATY

# **PCT**

# TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference A2003/02068		FOR FURTHER ACT	ION	See Form PCT/IPEA/416			
International application No.		International filing date (	day/month/year)	Priority date (day/month/year)			
PCT/AT2004/000437			13.12.2004		22.12.2003		
Internati	ional Patent Classificatio	on (IPC) or nati	onal classification and IPC	1			
в66	B66F9/14, B65G1/04						
	Applicant TGW TRANSPORTGERÄTE GMBH						
1.	1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.						
2.	This REPORT consists	s of a total of _	8	sheets, including	g this cover sheet.		
3.	This report is also acco	ompanied by A	NNEXES, comprising:				
	a. (sent to the	applicant and	to the International Burea	u) a total of 5	sheets, as follows:		
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).						
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental						
	Box.						
	b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))				r of electronic carrier(s))		
	, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see						
	Section 802 of the Administrative Instructions).						
4.	This report contains in	dications relati	ng to the following items:				
	Box No. I	Basis of the	report				
	Box No. II	Priority					
	Box No. III	Non-establi	shment of opinion with reg	gard to novelty, inventi	ive step and industrial applicability		
	Box No. IV	Lack of unit	ty of invention				
	Box No. V		tatement under Article 35(2 d explanations supporting		lty, inventive step or industrial applicability;		
	Box No. VI	Certain doc	uments cited				
	Box No. VII	Certain defe	ects in the international app	olication			
	Box No. VIII	Certain obs	ervations on the internation	nal application			
Date of	submission of the demar	nd	Da	te of completion of thi	is report		
Name a	nd mailing address of the	: IPEA/EP	Au	thorized officer			
Facsimi	le No.		Te	lephone No.			

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Box	k No. I	I Basis of the report		
1.		th regard to the language, this report is based on the internation icated under this item.	onal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original langua which is the language of a translation furnished for the purp international search (Rule 12.3 and 23.1(b))  publication of the international application (Rule 12.4 international preliminary examination (Rule 55.2 and	ooses of:	·
2.	rece	th regard to the <b>elements</b> of the international application, this eiving Office in response to an invitation under Article 14 are report):  the international application as originally filed/furnished the description:		
		pages 1-20 pages*		as originally filed/furnished
		pages*	-	
	$\square$		_ received by this radiiothly on	
		the claims:		as originally filed/furnished
		nos.**		r with any statement) under Article 19
		nos.* 1-29		20.10.2005 with letter
		nos.**		
	$\boxtimes$	the drawings:		
				as originally filed/furnished
		sheets*		
		sheets*	-	
		a sequence listing and/or any related table(s) – see Supplem		_
3.	$\Box$	The amendments have resulted in the cancellation of:		
٥.				
		the claims, nos.		
4.		This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as fi	lments annexed to this report and	listed below had not been made, since
		the description, pages		
		the claims, nos.		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	tem 4 applies, some or all of those sheets may be marked "sup	erseded."	

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Box			article 35(2) with regard to novelty, inventive step or industrial applicability; apporting such statement	
1.	Statement			
	Novelty (N)	Claims	1-29	YES
		Claims		NO
	Inventive step	(IS) Claims	1-29	YES
		Claims		NO
	Industrial appli	icability (IA) Claims	1-29	YES
		Claims		NO

- 2. Citations and explanations (Rule 70.7)
  - 1) Documents

This report makes reference to the following document:

D1: US-A-3 954 185

- 2) Clarity
- 2.1) Claim 1 is not clear owing to typing errors. Claim 1 reads (the errors are in bold type):

load-receiving means (11) for a transporting device, in particular, for a storage and retrieval unit (1), said means having a telescopic table (15) which can be displaced relative to a plane parallel to a ground contact surface (6) and which is designed for receiving at least one storage aid (4), for example, container, crate, etc.; having a lower table (16) and having an intermediate table (17) and an upper table (18) which can be displaced relative to the lower table and to each other in linear guiding arrangements (42, 43, 44, 45) situated preferably symmetrically with regard to a middle plane (46); and having a drive device (66) between the lower table (16) and the intermediate table (17) and a transfer device (68) for displacing the upper table (18) {error in German text} according to the relative motion between the lower table (16) and the intermediate table

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

[characterized in that] and having the guiding (17);arrangements (42, 43, 44, 45) are situated, between the intermediate table (17) and the lower table (16) and between the intermediate table (17) and the upper table (18), the in interspaced guiding planes (47, 48) extending parallel to a receiving surface (26) of the upper table (18); and having at least one additional quiding arrangement (79, 80) that forms a quiding plane (78) extending perpendicular thereto and parallel to a direction of displacement of the upper table (18); and the transfer device (68) having transfer means (70) is provided in a transfer plane (76) extending at an angle (77) to an upper side (62) of the upper table (18) and parallel to the direction of displacement, characterized in that strip-shaped guiding projections (53) extending across an entire length (30) of the intermediate table (17) and forming the guiding planes (47, 48) form an upper chord with the guiding arrangements (42, 43) between the intermediate table (17) and the upper table (18) and a lower chord with the quiding arrangements (44, 45) between the intermediate table (17) and the lower table (16).

2.2) In order to be able to assess novelty and inventive step, claim 1 is interpreted as follows (changes are in bold type):

load-receiving means (11) for a transporting device, in particular, for a storage and retrieval unit (1), said means having a telescopic table (15) which can be displaced relative to a plane parallel to a ground contact surface (6) and which is designed for receiving at least one storage aid (4), for example, container,

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

crate, etc.; having a lower table (16) and having an intermediate table (17) and an upper table (18) which can be displaced relative to the lower table and to each other in linear guiding arrangements (42, 43, 44, 45) situated preferably symmetrically with regard to a middle plane (46); and having a drive device (66) between the lower table (16) and the intermediate table (17) and a transfer device (68) for displacing the upper table (18) according to the relative motion between the lower table (16) and the intermediate table (17); wherein the guiding arrangements (42, 43, 44, 45) are situated, between the intermediate table (17) and the lower table (16) and between the intermediate table (17) and the upper table (18), in interspaced guiding planes (47, 48) extending parallel to a receiving surface (26) of the upper table (18); and having at least one additional guiding arrangement (79, 80) that forms a guiding plane (78) extending perpendicular thereto and parallel to a direction of displacement of the upper table (18); and the transfer device (68) having transfer means (70) is provided in a transfer plane (76) extending at an angle (77) to an upper side (62) of the upper table (18) and parallel to the direction of displacement, characterized in that strip-shaped guiding projections (53) extending across an entire length (30) of the intermediate table (17) and forming the guiding planes (47, 48) form an upper chord with the guiding arrangements (42, 43) between the intermediate table (17) and the upper table (18) and a lower chord with the guiding arrangements (44, 45) between the intermediate table (17) and the lower table (16).

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 3) Novelty and inventive step
- 3.1) D1 is considered to be the prior art closest to the subject matter of claim 1. D1 (the references in parentheses are to D1):

load-receiving means (18) for a transporting device, in particular, for a storage and retrieval unit, said means having a telescopic table which can be displaced relative to a plane parallel to a ground contact surface and which is designed for receiving at least one storage aid (47), for example, container, crate, etc.; having a lower table (245c, 245d) and having an intermediate table (300, 305, 310) and an upper table (20) which can be displaced relative to the lower table and to each other in linear guiding arrangements (275, 275a, 275b, 275c) situated preferably symmetrically with regard to a middle plane; and having a drive device (350, 355, 360, 365) between the lower table (245c, 245d) and the intermediate table (300, 305, 310) and a transfer device (410, 411, 412) for displacing the upper table (20) according to the relative motion between the lower table (245c, 245d) and the intermediate table (300, 305, 310); wherein the guiding arrangements (275, 275a, 275b, 275c) are situated, between the intermediate table (300, 305, 310) and the lower table (245c, 245d) and between the intermediate table (300, 305, 310) and the upper table (20), in interspaced guiding planes (see figure 9; 275a, 275b, 275c, 275d) extending parallel to a receiving surface of the upper table (20); and having at least one additional guiding arrangement (277) that forms a guiding plane extending perpendicular thereto and parallel to a direction of displacement of the upper table (20);

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

and the transfer device (410, 411, 412) with transfer means (410, 411, 412) is provided in a transfer plane extending at an angle (see description, column 8, line 16 to column 9, line 48, and figures 9, 10a, 10b, 11a) to an upper side of the upper table (20) and parallel to the direction of displacement.

- 3.2) Thus the subject matter of claim 1 differs from the known load-receiving means in that strip-shaped guiding projections extending across an entire length of the intermediate table and forming the guiding planes form an upper chord with the guiding arrangements between the intermediate table and the upper table and a lower chord with the guiding arrangements between the intermediate table and the lower table.
- 3.3) The subject matter of claim 1 is therefore novel (PCT Article 33(2)).
- 3.4) The problem to be solved by the present invention can therefore be regarded as that of achieving a high full-load factor by maintaining low weight and high stability.
- 3.5) The solution to this problem as proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) because this combination of features is not obvious from the available prior art. It would not be obvious to a person skilled in the art to combine these features in order to solve the stated problem.
- 3.6) Claims 2 to 29 are dependent on claim 1 and

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citations and explanations supporting such statement  therefore also meet the PCT requirements for novelty and  inventive step.
inventive step.